

3993 Howard Hughes Parkway, Suite 600  
Las Vegas, NV 89169-5996  
Facsimile (702) 949-8321  
Telephone (702) 949-8320

Robert M. Charles, Jr. NV State Bar No. 006593  
Email: rcharles@lrlaw.com  
John Hinderaker AZ State Bar No. 018024  
Email: jhinderaker@lrlaw.com  
Marvin Ruth NV State Bar No. 10979  
Email: mruth@lrlaw.com

Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR  
Chapter 11

**NOTICE OF HEARING RE  
OMNIBUS OBJECTION OF USACM  
TRUST TO PROOFS OF CLAIM  
BASED UPON INVESTMENT IN  
THE CASTAIC PARTNERS III  
LOAN**

**Date of Hearing: September 30, 2011  
Time of Hearing: 9:30 a.m.  
Estimated Time for hearing: 10 min.**

**THE USACM LIQUIDATING TRUST IS OBJECTING TO THE CLAIM  
THAT YOU FILED. THE USACM TRUST SEEKS TO DISALLOW YOUR  
CLAIM TO THE EXTENT YOUR CLAIM IS BASED UPON AN INVESTMENT  
IN THE CASTAIC PARTNERS III LOAN. THE USACM TRUST CONTENDS  
THAT YOU DO NOT HAVE A COMPLETELY VALID CLAIM BASED UPON  
YOUR INVESTMENT IN THIS LOAN BECAUSE YOU TOOK A KNOWN AND  
OBVIOUS RISK IN MAKING THAT INVESTMENT AND USACM DID NOT  
GUARANTEE REPAYMENT OF THAT LOAN. THIS OBJECTION WILL NOT  
IMPACT YOUR CLAIM TO THE EXTENT IT IS BASED UPON AN  
INVESTMENT IN A DIFFERENT LOAN.**

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1           **PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY**  
2           **COURT TO DISCUSS THE MERITS OF YOUR CLAIM.** QUESTIONS  
3           REGARDING THE AMOUNT OF A CLAIM OR THE FILING OF A CLAIM  
4           SHOULD BE DIRECTED TO BRANT FYLLING AT SIERRA GROUP  
5           CONSULTING, LLC (602-424-7009) OR TO UNDERSIGNED COUNSEL, JOHN  
6           HINDERAKER (520-629-4430).

7           NOTICE IS HEREBY GIVEN that the USACM Liquidating Trust, by and  
8           through its counsel, has filed its Omnibus Objections to Proofs of Claim Based Upon  
9           Investment in the Castaic Partners III Loan (with Certificate of Service) (the "Objection").  
10          Your Proof of Claim number and other information regarding your claim is provided in  
11          Exhibit A attached to the Objection. The USACM Liquidating Trust has requested that  
12          this Court enter an order, pursuant to section 502 of title 11 of the United States Code (the  
13          "Bankruptcy Code") and Rule 3007 of the Federal Rules of Bankruptcy Procedure (the  
14          "Bankruptcy Rules"), disallowing your Proof of Claim to the extent it is based upon an  
15          investment in the Castaic Partners III Loan. The Objection will not impact your Claim to  
16          the extent it is based upon an investment in a different loan.

17          NOTICE IS FURTHER GIVEN that the hearing on the Objection will be held  
18          before the Honorable Linda B. Riegle, U.S. Bankruptcy Court Judge in the Foley Federal  
19          Building, 300 Las Vegas Blvd. South, 3<sup>rd</sup> Floor, Courtroom No. 1, Las Vegas, Nevada on  
20          **September 30, 2011, at the hour of 9:30 a.m.**

21          NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON  
22          SEPTEMBER 30, 2011, WILL BE HELD FOR THE PURPOSE OF STATUS  
23          CHECKS AND SCHEDULING EVIDENTIARY HEARINGS ONLY. NO  
24          ARGUMENTS WILL BE HEARD ON THAT DATE.

25          NOTICE IS FURTHER GIVEN that pursuant to Local Rule 9014(d), any  
26          response to the objection must be filed and service must be completed no later than

**fourteen (14) days** preceding the hearing date. The opposition must set forth all relevant facts and any relevant legal authority.

If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with the Court. You *must* also serve your written response on the person who sent you this notice.

If you do not file a written response with the Court, or if you do not serve your written response on the person who sent you this notice, then:

- The Court may *refuse to allow you to speak* at the scheduled hearing; and
- The Court may *rule against you* and sustain the objection without formally calling the matter at the hearing.

Dated: August 6, 2011

LEWIS AND ROCA LLP

By s/John Hinderaker (AZ 18024)

Robert M. Charles, Jr., NV 6593

John Hinderaker, AZ 18024 (*pro hac vice*)

Marvin Ruth, NV 10979

3993 Howard Hughes Parkway, Suite 600

Las Vegas, Nevada 89169

E-mail: JHinderaker@lrlaw.com

*Attorneys for the USACM Liquidating Trust*

Copy of the foregoing and pertinent portion of Exhibits mailed by first class postage prepaid U.S. Mail on August 6, 2011 to all parties listed on Exhibit A attached to the objection.

LEWIS AND ROCA LLP

s/ Matt Burns  
Matt Burns